

PRISONER'S CIVIL RIGHTS COMPLAINT (Rev. 07/2021)

IN THE UNITED STATES DISTRICT COURT
FOR THE Eastern DISTRICT OF TEXAS
DIVISION

FILED
U.S. DISTRICT COURT
MAR 24 2022

John C. Shelton #58470
Plaintiff's Name and ID Number

Cooke County Jail
Place of Confinement

EASTERN DISTRICT OF TEXAS
BY DEPUTY: _____

CASE NO. 4:22-cv-234
(Clerk will assign the number)
Jordan Nowak

v.

Cpl/Bert Cooke County Detention Center 300 County Rd 451, Grimesville, TX 76240
Defendant's Name and Address

S.O. Immard, 300 County Road 451, Grimesville, TX 76240
Defendant's Name and Address

S.O. King, 300 County Road 451, Grimesville, TX 76240
Defendant's Name and Address
(DO NOT USE "ET AL.")

INSTRUCTIONS - READ CAREFULLY

NOTICE:

Your complaint is subject to dismissal unless it conforms to these instructions and this form.

1. To start an action you must file an original and one copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten, in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACK SIDE OF ANY PAGE.** ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 18, Federal Rules of Civil Procedure. Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and one copy to the clerk of the United States district court for the appropriate district of Texas in the division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. If you are confined in the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), the list labeled as "VENUE LIST" is posted in your unit law library. It is a list of the Texas prison units indicating the appropriate district court, the division and an address list of the divisional clerks.

FILING FEE AND *IN FORMA PAUPERIS* (IFP)

1. In order for your complaint to be filed, it must be accompanied by the statutory filing fee of \$350.00 plus an administrative fee of \$52.00 for a total fee of **\$402.00**.
2. If you do not have the necessary funds to pay the fee in full at this time, you may request permission to proceed *in forma pauperis*. In this event you must complete the application to proceed *in forma pauperis*, setting forth information to establish your inability to prepay the fees and costs or give security therefor. You must also include a current six-month history of your inmate trust account. If you are an inmate in TDCJ-CID, you can acquire the application to proceed *in forma pauperis* and the certificate of inmate trust account, also known as *in forma pauperis* data sheet, from the law library at your prison unit.
3. The Prison Litigation Reform Act of 1995 (PLRA) provides "... if a prisoner brings a civil action or files an appeal *in forma pauperis*, the prisoner shall be required to pay the full amount of a filing fee." See 28 U.S.C. § 1915. Thus, the court is required to assess and, when funds exist, collect, the entire filing fee or an initial partial filing fee and monthly installments until the entire amount of the filing fee has been paid by the prisoner. If you submit the application to proceed *in forma pauperis*, the court will apply 28 U.S.C. § 1915 and, if appropriate, assess and collect the entire filing fee or an initial partial filing fee, then monthly installments from your inmate trust account, until the entire \$350.00 statutory filing fee has been paid. (The \$52.00 administrative fee does not apply to cases proceeding *in forma pauperis*.)
4. If you intend to seek *in forma pauperis* status, do not send your complaint without an application to proceed *in forma pauperis* and the certificate of inmate trust account. Complete all essential paperwork before submitting it to the court.

CHANGE OF ADDRESS

It is your responsibility to inform the court of any change of address and its effective date. Such notice should be marked "**NOTICE TO THE COURT OF CHANGE OF ADDRESS**" and shall not include any motion for any other relief. Failure to file a NOTICE TO THE COURT OF CHANGE OF ADDRESS may result in the dismissal of your complaint pursuant to Rule 41(b), Federal Rules of Civil Procedure.

I. PREVIOUS LAWSUITS:

- A. Have you filed *any* other lawsuit in state or federal court relating to your imprisonment? ___ YES ___ ☒ NO
- B. If your answer to "A" is "yes," describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, giving the same information.)
 1. Approximate date of filing lawsuit: NONE
 2. Parties to previous lawsuit:

Plaintiff(s) NONE


Defendant(s) _____
 3. Court: (If federal, name the district; if state, name the county.) NONE
 4. Cause number: NONE
 5. Name of judge to whom case was assigned: NONE
 6. Disposition: (Was the case dismissed, appealed, still pending?) NONE
 7. Approximate date of disposition: _____

C. Has any court ever warned or notified you that sanctions could be imposed? _____ YES ☒ NO

D. If your answer is "yes," give the following information for every lawsuit in which a warning was issued. (If more than one, use another piece of paper and answer the same questions.)

1. Court that issued warning (if federal, give the district and division): NONE
2. Case number: NONE
3. Approximate date warning was issued: NONE

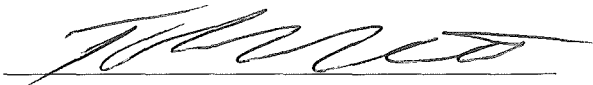
Executed on: 20 Mar 2022
DATE


John Christopher Shelton
(Signature of Plaintiff)

PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachments thereto are true and correct.
2. I understand, if I am released or transferred, it is my responsibility to keep the court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions or appeals (from a judgment in a civil action) in a court of the United States while incarcerated or detained in any facility, which lawsuits were dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger of serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire filing fee and costs assessed by the court, which shall be deducted in accordance with the law from my inmate trust account by my custodian until the filing fee is paid.

Signed this Twentieth day of March, 20 22.
(Day) (month) (year)


John Christopher Shelton
(Signature of Plaintiff)

WARNING: Plaintiff is advised any false or deliberately misleading information provided in response to the above questions may result in the imposition of sanctions. The sanctions the court may impose include, but are not limited to, monetary sanctions and the dismissal of this action with prejudice.

II. PLACE OF PRESENT CONFINEMENT: Cooke County Detention Center

III. EXHAUSTION OF GRIEVANCE PROCEDURES:

Have you exhausted all steps of the institutional grievance procedure? ✓ YES NO

Attach a copy of your final step of the grievance procedure with the response supplied by the institution.

IV. PARTIES TO THIS SUIT:

A. Name and address of plaintiff: Corporal Burr, John C Shelton
300 County Road 451, Gainsville Tx 76240

B. Full name of each defendant, his official position, his place of employment, and his full mailing address.

Defendant #1: Corporal Burr, Cooke County Detention Center
300 County Road 451, Gainsville Tx. 76240

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Federal violation of mail rights, no copy of grievance

Defendant #2: Security officer Minyard, Trusty Coordinator
and Kitchen officer, Cooke County Detention Center 300 County Rd. 451 Gainsville

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Ignored nutritional guidelines request and standards. Malnutrition

Defendant #3: Security officer King, Cooke County Detention Center 300 County Rd 451
Gainsville Tx 76240

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Federal violation of mail rights

Defendant #4: Security Officer Stickman, Cooke County Detention Center 300 County
Rd 451 Gainsville Tx 76240

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Voyeurism

Defendant #5: Security Officer Hickman, Cooke County Detention Center 300 County
Rd 451 Gainsville Tx 76240

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Federal violation of mail rights

V. STATEMENT OF CLAIM:

State here in a short and plain statement the facts of your case, that is, what happened, where did it happen, when did it happen, and who was involved. Describe how each defendant is involved. You need not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach extra pages if necessary, but remember the complaint must be stated briefly and concisely. IF YOU VIOLATE THIS RULE, THE COURT MAY STRIKE YOUR COMPLAINT.

March 20, 2022 Corpl Burr and Security officer Branch denied me a copy of my grievance. The 2 officers also refused to take request on the grounds of excessive. Security officer Branch continued to say that the calling cards did not work back here in pod B-4 which was untrue. In addition to denying me my 2 Free Phone calls. My arrival to Collier County Detention Center I have experience malnutrition with meals that are supposed to be 2,000 calories each in pod B-4 as well with food that had mold. In addition to trustees ignoring specialized trustees not properly beating to meet health codes.

VI. RELIEF:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

VII. GENERAL BACKGROUND INFORMATION:

A. State, in complete form, all names you have ever used or been known by including any and all aliases.

John C. Muniz

B. List all TDCJ-CID identification numbers you have ever been assigned and all other state or federal prison or FBI numbers ever assigned to you.

unknown

VIII. SANCTIONS:

A. Have you been sanctioned by any court as a result of any lawsuit you have filed? YES ☒ NO

B. If your answer is "yes," give the following information for every lawsuit in which sanctions were imposed. (If more than one, use another piece of paper and answer the same questions.)

1. Court that imposed sanctions (if federal, give the district and division): *NONE*

2. Case number: *NONE*

3. Approximate date sanctions were imposed: *NONE*

4. Have the sanctions been lifted or otherwise satisfied? YES ☒ NO

Complaint Contd.

IV. Parties to this Suit Contd.

B. Defendant #6: Security Officer Branch; Cooke County
Detention Center 300 County Rd 451 Gainsville Tx 76240

Briefly describe the act(s) or omission(s) of this defendant which
harmed you.

Continuously lying about procedures and policies.
Refuses to help with request.

Defendant #7: Unknown Transport Officer; Cooke County
Detention Center 300 County Rd 451 Gainsville Tx 76240

Briefly describe the act(s) or omission(s) of this defendant which harmed
you.

Failed to ~~improperly~~ follow proper safety Regulations.
Yett

V. Statement of Claim Contd.

On March 19, 2022 I tried to mail some legal mail.
Security officer King and an unknown officer tore my stamps
of the envelopes and returned my mail to me, without envelopes

Complaint Contd.

On March 18, 2022 I was taking a shower and noticed Security officer Stickman watching me, in which Security officer Stickman is a female officer that Patrols Male pods it violates privacy of public nudity policy.

On March 20, 2022 I was denied proof of incarceration by Security Officer Lebar and an unknown officer denying me the ability to mail legal mail in pod B-4.

On an unknown Date Security officer Highfield transported me to a blood hospital. During the transport I was unrestrained, after telling the Security officer Highfield both times. The ride there and back. Seatbelts were not utilized.

On March 21, 2022 I asked Security officer Burr for my bmo. History of inmates trust fund for my application of Parforis and was denied by the officer. Officer Burr Responded and said I did not have proper reasons for it.

-memo

March 21, 2022

RE: 1983 Civil Rights Complaint

TO:

Clerk,

United States District Court
Eastern District of Texas
7940 Preston Road
Plano, Texas 75024

note: If you are not
an Authorized Representative
of the United States District
Court, Do not Proceed;
this is legal mail

From: John Christopher Shelton
Inmate # 58470
Lodke County Justice Center
300 County Rd 45-1
Baisville Tx 76240